

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Timothy W. Hazelton, Sr.

v.

Civil No. 08-cv-419-JL

NH Department of Corrections,
Commissioner, et al.

O R D E R

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated April 10, 2013. The court notes only that the first full paragraph of the Report and Recommendation should not be construed to suggest that mere court approval of, or specified terms within, a settlement stipulation can confer jurisdiction on this court to enforce a settlement. Such jurisdiction is limited to situations provided for in Kokkonen Disability Law Ctr., 2012 WL 1237760, *6 (D MA 2012).

“ “[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.” ”
School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice,

failure to file a specific objection to magistrate's report will waive the right to appeal).

SO ORDERED.



Joseph N. Laplante
Chief Judge

Date: May 9, 2013

cc: Timothy W. Hazelton, Sr.
Michael Sheehan, Esq.
Brian Buonamano, Esq.
Danielle Leah Pacik, Esq.